

1 JUDGE RICARDO S. MARTINEZ
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

9 COGENT BRAIN, PS,
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11 Plaintiff,

12 vs.
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18 Defendants.

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SAFECO INSURANCE COMPANY OF
AMERICA, INC., a Washington corporation,
and FIRST NATIONAL INSURANCE OF
AMERICA, a Washington corporation;
LIBERTY MUTUAL FIRE INSURANCE CO.
and LIBERTY MUTUAL INSURANCE
COMPANY, foreign insurance companies;

No. 2:23-cv-00544

ORDER GRANTING DEFENDANTS'
RULE 15(a)(2) MOTION FOR LEAVE TO
FILE AN AMENDED ANSWER TO CLASS
ACTION COMPLAINT FOR VIOLATION
OF CONSUMER PROTECTION ACT,
RCW 19.86 *et seq.* AND A
COUNTERCLAIM FOR DECLARATORY
JUDGMENT

LAWRENCE A. THOMAS, DC, PS, d/b/a
CAPITOL HILL CHIROPRACTIC and BC
CHIROPRACTIC d/b/a Cooper Chiropractic,
Plaintiffs, vs. SAFECO INSURANCE
COMPANY OF AMERICA, INC., a
Washington corporation, and FIRST
NATIONAL INSURANCE OF AMERICA, a
Washington corporation;

No. 2:23-cv-00545

Defendants.

ORDER GRANTING DEFS' RULE 15(a)(2)
MTN FOR LEAVE TO FILE AMENDED
ANSWER AND COUNTERCLAIM FOR DECL
JUDGMENT (Cause No. 2:23-cv-00544 RSM) – 1
SLE6892.057/4437590X



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SEATTLE, WASHINGTON 98104
TELEPHONE: (206) 623-4100
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1 THIS MATTER having come on for hearing before The Honorable Ricardo Martinez
2 on Defendant First National Insurance Company of America's Motion for Leave to file an
3 amended answer and a single-count, counterclaim for declaratory judgment, and the Court
4 having considered:

5 1. Defendants' Rule 15(A)(2) Motion for Leave to File an Amended Answer to
6 Class Action Complaint for Violation of Consumer Protection Act, RCW 19.86 et seq. and a
7 Counterclaim for Declaratory Judgment;

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11 the files and pleadings herein, now, therefore,

12 IT IS HEREBY ORDERED THAT Defendants' Rule 15(A)(2) Motion for Leave to
13 File an Amended Answer to Class Action Complaint for Violation of Consumer Protection
14 Act, RCW 19.86 et seq. and a Counterclaim for Declaratory Judgment is GRANTED.

15 DATED this 16th day of June, 2023.



16 RICARDO S. MARTINEZ
17 UNITED STATES DISTRICT JUDGE

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ORDER GRANTING DEFS' RULE 15(a)(2)
MTN FOR LEAVE TO FILE AMENDED
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1 **CERTIFICATE OF ELECTRONIC SERVICE**

2 I hereby certify that on the date set forth below, I electronically filed the foregoing
3 with the Clerk of the Court using the CM/ECF system, which will send notification of such
4 filing to those attorneys of record registered on the CM/ECF system. All other parties (if any)
5 shall be served in accordance with the Federal Rules of Civil Procedure.

6 Attorney for Plaintiff

7 David E. Breskin

8 Cynthia J. Heidelberg

9 BRESKIN JOHNSON & TOWNSEND

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11 Seattle, WA 98104

12 dbreskin@bjtlegal.com; cheidelberg@bjtlegal.com; admin@bjtlegal.com

13 SIGNED this 18th day of May, 2023, at Seattle, Washington.

14 s/ Traci Jay _____

15 Traci Jay

16 ORDER GRANTING DEF'S RULE 15(a)(2)
17 MTN FOR LEAVE TO FILE AMENDED
18 ANSWER AND COUNTERCLAIM FOR DECL
19 JUDGMENT (Cause No. 2:23-cv-00544 RSM) – 3
20 SLE6892.057/4437590X



WILSON
SMITH
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